



RE: Dr. Maurice Preter Report for Kenneth Marsh  
Fred A. Schwartz  
to:

12/02/2010 08:55 AM

Bcc:

James Orenstein  
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HON. JAMES ORENSTEIN

DEC 02 2010

Dear Magistrate Orenstein,

I have now read Dr. Preter's report to me for the first time. While I believe it fills your order of today in that it provides the Doctor's conclusions and outlines his findings, it clearly does not expand upon how and why he reached his conclusions. I am informing you, and the government that I will be, tomorrow, trying to get Dr. Preter to provide additional foundations for his conclusions before Friday at noon. If he cannot expand upon this report, than I will have to use what he has written before Judge Weinstein on December 10th, and my client will suffer the consequences as to whether Judge Weinstein allows the expert testimony or not. At about 2:20 today, I informed the Doctor that attorneys have to work late into the night to meet deadlines, and that well paid doctors should also do so. I will reiterate that tomorrow. I hope that will result in an expanded report; however, if it does not, we will have to travel on this truncated report.

Fred Schwartz

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**From:** Bobbi Engelke  
**Sent:** Wednesday, December 01, 2010 7:05 PM  
**To:** [REDACTED]  
**Cc:** Fred A. Schwartz  
**Subject:** Dr. Maurice Preter Report for Kenneth Marsh

This email was dictated by Fred A. Schwartz upon landing in South Florida:

Dear Magistrate Orenstein,

Immediately after leaving your courtroom, myself and my paralegal attempted to call and email Dr. Preter. We finally reached him shortly before my plane took off. Dr. Preter was apprised of your deadline of noon on Friday December 3rd for his report. He informed me that the only time he had to work on his report between now and Friday was this afternoon, and he had planned to complete it over the weekend. Rather than disobey your honor's order to have the report ready Friday at noon, he chose to complete his report in a much more abbreviated fashion today. Therefore, attached please find a copy of Dr. Preter's report, which also contains the conclusion that you wanted immediately.

I am simultaneously sending this report to AUSA Yaeger and assume he will be forwarding me his doctor's report pursuant to our agreement.

I hope this fully complies with your order of today. I am sending this to you by email since the report contains confidential medical information.

Thank you,

Fred A. Schwartz

